

REMARKS

The Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated July 29, 2008 has been received and its contents have been carefully reviewed.

Summary of the Office Action

The Abstract of the disclosure is objected to because of the word "invention". The drawings are objected to because Figures 9-10 are not labeled as "Prior Art". Claims 1-3 stand rejected under 35. U.S.C. §102(e) as being anticipated by admitted prior art *Takenaka* (US Patent No. 6,301,524).

The Objection to the Abstract

The Abstract of the disclosure is objected to because of the word "invention". Applicants propose to correct the word "invention" as "specification". Accordingly, Applicants respectfully submit that the objection to the Abstract should be withdrawn.

The Objection to the Drawings

The drawings are objected to because Figures 9-10 are not labeled as "Prior Art". To confirm the drawings with the requirements as noted on the Office Action, ten (10) replacement sheets of drawings containing ten (10) figures are filed herewith. Applicants request to amend the drawings by labeling Figures 9-10 as "Prior Art". Accordingly, Applicants respectfully submit that the objection to the drawings be withdrawn.

All Claims Define Allowable Subject Matter

Claims 1-3 stand rejected under 35. U.S.C. §102(e) as being anticipated by admitted prior art *Takenaka*. Applicants respectfully traverse the rejection as being based upon reference that neither teach nor suggest the combination of features recited by independent claim 1.

Takenaka does not teach that a gait pattern is generated from a desired ZMP trajectory “using ZMP preview information.” The Office Action asserts that *Takenaka* at column 7, lines 7-33 teaches a gait pattern generating device as claimed. Applicants respectfully disagree. Instead, *Takenaka* only teaches that the desired gait is a set of the desired motion trajectories and the ZMP trajectory (see column 7, lines 7-33). Furthermore, *Takenaka* does not teach that a driving quantity of the center of gravity in one moment is determined on the basis of a fed-back motion state of the center of gravity in the moment and a previewed or planned future ZMP trajectory. Instead, *Takenaka* only teaches a condition to satisfy dynamic equilibrium to ensure stable walking or locomotion (see column 6, lines 38-51 and abstract).

As pointed out in MPEP §2131, to anticipate a claim, the reference must teach every element of the claim. Thus, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Because *Takenaka* fails to teach or suggest each feature of independent claim 1, Applicants respectfully submit that the rejection under 35 U.S.C. §102(e) should be withdrawn.

Furthermore, claims 2-3 depend from allowable independent claim 1. Applicants respectfully assert that claims 2-3 are also allowable because of the additional features they recite and the reasons stated above.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the above amendments, reconsideration, and the timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this Response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS

By: 

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Date: October 9, 2008

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PATENT
ATTORNEY DOCKET NO.: 040894-7211

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Shuuji KAJITA, <i>et al.</i>)	Confirmation No. 4471
)	
Application No.: 10/529,252)	Art Unit: 3664
)	
Filed: March 25, 2005)	Examiner: Medieunel MARC
)	
For: GAIT PATTERN GENERATING)	
DEVICE OF WALKING ROBOT)	

Mail Stop Amendment
Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

SUBMISSION OF REPLACEMENT DRAWINGS

Filed herewith are replacement sheets of drawings for Figures 9 and 10. Applicants request to amend the drawings by labeling Figures 9 and 10 as "Prior Art".

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

A handwritten signature in black ink, appearing to be 'R. Goodell', written over a horizontal line.

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Reg. No. 41,040

Date: October 9, 2008

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IN THE DRAWINGS:

Filed herewith are replacement sheets of drawings for Figures 9 and 10. Applicants request to amend the drawings by labeling Figures 9 and 10 as "Prior Art".